

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

DONALD MONTGOMERY,

Plaintiff,

-vs-

DECISION & ORDER

GOV. ANDREW M. CUOMO, CMSR. ANN MARIE T. SULLIVAN, CMSR. MICHAEL C. GREENE, SPDT. JOSEPH A. D'AMICO, SHERIFF VINCENT DEMARCO, EASTERN LONG ISLAND HOSPITAL,

14-CV-6709-CJS

Defendants.

Siragusa, J. Plaintiff has filed a motion seeking a preliminary injunction, ECF No. 3, and included in that motion a request for an expedited hearing. The basis for the preliminary injunction motion is summarized in Plaintiff's Memorandum of Law, in part, as follows:

The State is actively conducting an overreach into the personal health information of tens of thousands of people, more than 99% of whom do not even know that the confidentiality of their doctor-patient relationship has been compromised. The few individuals who have found out have learned about this insidious conduct know only because the State has stripped them of their pistol license and firearms, even though they have done no more than seek out medical treatment for conditions as simple as trouble sleeping.

It is critical that this Court put an immediate stop to the on-going reporting by medical providers to the State during the pendency of this lawsuit. More than 3,000 people are being reported per month into a statewide database that is controlled by the NYS Police. Every week, the NYS Police are involved in and/or directing county and local law enforcement and licensing officers to deny, suspend, and revoke pistol permits and to confiscate firearms. This State Police action is being undertaken and directed without a warrant, without probable cause—without any basis even for an investigation of the targeted individual.

Pl.'s Mem. of Law at 1, Jan. 15, 2015, ECF No. 4.

Pursuant to L.R. Civ. P. 7(d)(1), a party seeking an expedited hearing must set forth the reasons why an expedited hearing is required. Although Plaintiff has not specif-

ically addressed the need in a separate memorandum of law, the reasoning does appear in the synopsis of the basis for the request for injunctive relief. Accordingly, it is hereby

ORDERED, that Plaintiff personally serve the motion papers, summons, and complaint on Defendants, by Friday, January 23, 2015; and it is further

ORDERED, that Defendants respond to the motion for a preliminary injunction by filing with the Court and serving on Plaintiff's counsel a memorandum of law and such other papers as they deem necessary by Friday, January 30, 2015; and it is further

ORDERED, that oral argument on the motion shall be heard by the Court on Thursday, February 5, 2015, at 3:30 PM in the Federal Courthouse, 100 State Street, Rochester, New York.

IT IS SO ORDERED.

Dated: January 16, 2015
Rochester, New York

ENTER: /s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge